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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4208

AN ORDINANCE approving the conditional use permit application of GTE Northwest, Inc. to construct a 834 gross square foot structure on property located at 3035 - 134th Avenue N.E., with conditions; File No. CUDN 89-7019.

WHEREAS, GTE Northwest, Inc. has applied to the City for a conditional use permit to construct a 834 gross square foot structure on property located at 3035 - 134th Avenue N.E.; and

WHEREAS, on October 25, 1990, a public hearing was held thereon by the Hearing Examiner Pro Tempore pursuant to notice required by law; and

WHEREAS, on November 14, 1990, the Hearing Examiner Pro Tempore recommended approval, with conditions, of said application and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, GTE Northwest, Inc. has offered to dedicate the north ten (10) feet and the west twenty (20) feet of its site to the City for trail purposes; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions made and entered by the Hearing Examiner Pro Tempore in support of his recommendation to the Council in this matter as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner Pro Tempore for the City of Bellevue, In the Matter of the Application of GTE Northwest, Inc. (Cherry Crest Optical Remote Module), For Approval of a Conditional Use, File No. CUDN 89-7019."

Section 2. The City Council hereby approves the conditional use permit application, with conditions, of GTE Northwest, Inc. to construct a 834 gross square foot structure on property located at 3035 - 134th Avenue N.E., and more particularly described as:

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PARCEL A

The North 370.50 feet of the West 530 feet of the Northwest quarter of the Southwest quarter of Section 22, Township 25 North, Range 5 East, W.M., in King County, Washington;
EXCEPT that portion thereof lying within the North half of that portion of the North quarter of the West three-quarters of the Southwest quarter of said Section lying Westerly of a strip of land conveyed to King County for road purposes by deed recorded under Recording Number 2718689;
(BEING KNOWN AS the North 370.50 feet of Tract 11, Sunset Gardens, according to the unrecorded plat thereof,
EXCEPT that portion thereof lying within the North half of said Tract 11.)

PARCEL B

The South 64.00 feet of the North 434.50 feet of the West 530 feet of the Northwest quarter of the Southwest quarter of Section 22, Township 25 North, Range 5 East, W.M., in King County Washington.
(BEING KNOWN AS the South 64.00 feet of the North 434.50 feet of Tract 11 Sunset Gardens, according to the unrecorded plat thereof.)

Provided approval of this conditional use permit is conditioned on full compliance by the owner or owners of the property described herein, their heirs, assigns, grantees and successors in interest, with the terms and conditions of that certain Concomitant Agreement, a copy of which has been given Clerk's Receiving No. 16155, and which by this reference is fully incorporated herein.

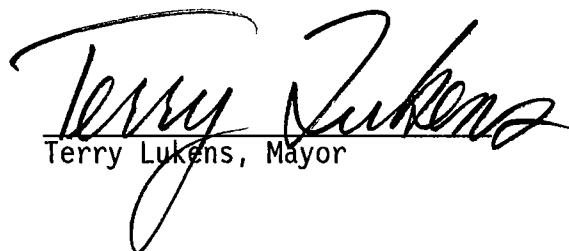
Provided further, approval of this conditional use is also subject to the following condition: prior to issuance by the City of any certificate of occupancy related to the property, owner or owners shall dedicate to the City for trail purposes the north ten (10) feet and the west twenty (20) feet of the property described above, which dedication the city administration is hereby authorized to accept on behalf of the City.

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Section 3. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 14th day of January, 1991, and signed in authentication of its passage this 14th day of January, 1991.

(SEAL)


Terry Lukens, Mayor

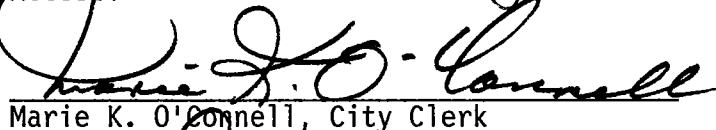
Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Andrews, City Attorney

Richard L. Andrews, City Attorney

Attest:


Marie K. O'Connell, City Clerk

Marie K. O'Connell, City Clerk

Published January 19, 1991